



CITY OF DULUTH
Planning Division

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STAFF REPORT

File Number	PL 14-116	Contact	Suzanne Kelley, skelley@duluthmn.gov
Application Type	Comprehensive Plan Amendment	Planning Commission Date	September 9, 2014
Deadline for Action	Application Date	7/30/2014	60 Days N/A
	Date Extension Letter Mailed	N/A	120 Days N/A
Location of Subject	3 vacant acres located at the intersection of 41 Avenue East and Jay Street, Duluth MN, 55804.		
Applicant	City of Duluth	Contact	Charles Froseth, cfroseth@duluthmn.gov
Agent	Community Development Division	Contact	As Above
Legal Description	Lots 1 Thru 16, Block 104, London Addition to Duluth		
Site Visit Date	8/1/ 2014	Sign Notice Date	N/A
Neighbor Letter Date	August 4, 2014	Number of Letters Sent	57

Proposal

Amend the Comprehensive Land Use Plan-Future Land Use Map from Recreation to Traditional Neighborhood

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1, Residential Traditional	Vacant	Recreation
North	R-1, Residential Traditional	Residential	Traditional Neighborhood
South	R-1, Residential Traditional	Residential	Traditional Neighborhood
East	R-1, Residential Traditional	Residential	Traditional Neighborhood
West	R-1, Residential Traditional	Residential	Traditional Neighborhood

Summary of Code Requirements (reference section with a brief description):

- UDC Sec. 50-37.2.A Pursuant to state law, only the planning agency (planning commission or planning staff) or council may initiate amendments to the Comprehensive Land Use Plan.
- UDC Sec. 50-37.2.B The proposal shall be reviewed by the land use supervisor, who shall forward a recommendation to the planning commission. The planning commission shall then review the proposal and make a recommendation to council. Council shall then make a decision to adopt, modify, or not adopt the plan or amendment pursuant to the criteria in subsection C below. Council action shall be by resolution, with affirmative votes of at least two-thirds of those members constituting a quorum required to take action.
- UDC Sec. 50-37.2.C The planning commission shall review the proposal, and council shall make a decision, based on whether the proposal promotes the best interests of the city and the general health, safety, and welfare of the citizens of Duluth.
- MSA 462.355. Adopt, Amend Comprehensive Plan; Interim Ordinance. Subd.3. Adoption by governing body. A proposed comprehensive plan or an amendment to it may not be acted upon by the governing body until it has received the recommendation of the planning agency or until 6 days have elapsed from the date an amendment proposed by the governing body has been submitted to the planning agency for its recommendation. Unless otherwise provided by charter, the governing body may by resolution by a two-thirds vote of all its members adopt and amend the comprehensive plan or portion thereof as the official municipal plan upon such notice and hearing as may be prescribed by ordinance.

III-A-1

Comprehensive Plan Findings (Governing Principle and/or Policies) and Current History (if applicable):

Principle #2 - Reuse of previously developed lands, including adaptive reuse of existing building stock and historic resources, directs new investment to sites which have the potential to perform at a higher level than their current state.

Principle #12 - Create efficiencies in delivery of public services. The costs of public services must be considered in land use decisions. Street construction and maintenance, utilities, libraries, fire, police, snow plowing and recreation facilities are services directly related to the physical location of development. Infrastructure should help prescribe development location rather than react to it.

I & PS. 1: Prioritize areas for development, restoration, or adaptive reuse that increase utilization of Duluth's existing infrastructure and favor maintenance and reconstruction of older infrastructure over infrastructure expansions.

I & PS 2: Land that will ultimately support some form of development should be developed in a staged, orderly manner.

UD 5: Housing developments should be staged to follow governing principles and infrastructure policies. The City will promote new infill development, consistent with a designated density, enhancing residential character and housing choice within neighborhoods, and promote neighborhood extensions that efficiently use public infrastructure.



Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):

1. The property is currently zoned R-1, similar to the surrounding parcels. The Future Land Use designation needs to be changed from Recreation to Traditional Neighborhood to allow for this parcel to be developed. All of the surrounding parcels are Traditional Neighborhood. The density would be compatible with the existing development.
2. The property was developed as a gas holder in 1923, which was operated until 1960 when it was demolished. The boiler building remained on the property until the early 2000s when it was removed. The vacant property existed as a non-improved park enjoyed by the neighbors for low intensity purposes such as dog walking and flying kites.
3. Recently the City was awarded a grant from Minnesota Department of Employment and Economic Development (DEED) to remove the existing containments from this parcel so that housing could be built. The City received this award due to the established need of work force housing, as described in the Workforce Housing Needs in Duluth report completed by Maxfield Research in April 2014. A condition of the grant was 8 to 12 single family housing units be built on this parcel and that three (3) of the housing units be priced under \$226,881.
4. There have been two (2) meetings with the neighbors about the development potential of this parcel (March 20, 2014 and August 11, 2014). The consensus of these meetings is that the development be focused on conservation oriented design principles and that the housing units be aesthetically pleasing and energy efficient (constructed with structurally insulated panels (SIPs)). As of August 15, 2014 an interactive web-link about the future land use designation change and layout of housing units was posted on the City's web site. As of the date of this report, there has been no feedback from this link.
5. The change in future land use designation will also require approval from the Parks and Recreation Commission. This parcel is not deemed a high quality park area.
6. Staff has been working with Engineering and Business Development to coordinate utility and street improvements.
7. For any other public or private agency or City Department comment (see attached).

Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):

Based on the above findings, staff recommends to the Planning Commission that the following change to the Comprehensive Future Land Use Map be recommended for approval by City Council.

- 1.) The Future Land Use Map for this parcel from Recreation to Traditional Neighborhood.

A-2

Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)

Jay Street Project: Proposed Future Land Use Change

